

**ASSEMBLY BILL**

**No. 3065**

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**Introduced by Committee on Governmental Organization  
(Jerome Horton (Chair), Aghazarian, Bermudez, Calderon,  
Chavez, Coto, Garcia, La Suer, Levine, Liu, Mountjoy, Negrete  
McLeod, Torrico, and Yee)**

March 13, 2006

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An act to amend Sections 23387 and 25511 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 3065, as introduced, Committee on Governmental Organization. Alcoholic beverages licenses: wholesalers and rectifiers: fixtures and supplies.

(1) Existing law permits a wholesaler or rectifier to sell the alcoholic beverages mentioned in his or her license to persons who take delivery of the alcoholic beverages within the state for delivery or use outside of the state within 90 days from the date of the sale in accordance with rules and regulations prescribed by the department.

This bill would make technical, nonsubstantive changes to this provision.

(2) Existing law permits a beer manufacturer or beer wholesaler to furnish, give, rent, lend, or sell, any equipment, fixtures, or supplies, other than alcoholic beverages, to a retailer whose equipment, fixtures, or supplies were lost or damaged as a result of a natural disaster, except that this provision does not apply to transactions that occur 6 weeks or more after the Governor proclaims an area to be in a state of disaster.

This bill would instead make this provision inapplicable to transactions that occur 3 months or more after the Governor proclaims an area to be in a state of disaster.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 23387 of the Business and Professions  
2 Code is amended to read:

3 23387. In addition to the other privileges exercised under a  
4 wholesaler's or rectifier's license, a wholesaler or rectifier may  
5 sell the alcoholic beverages mentioned in his *or her* license to  
6 persons who take delivery of ~~such the~~ alcoholic beverages within  
7 this ~~State state~~ for delivery or use ~~without outside of the State~~  
8 ~~state~~ within 90 days from the date of ~~such the~~ sale in accordance  
9 with rules and regulations prescribed by the department.

10 SEC. 2. Section 25511 of the Business and Professions Code  
11 is amended to read:

12 25511. Notwithstanding any other provision of this division,  
13 a beer manufacturer or beer wholesaler, or any officer, director,  
14 or agent of any of those persons may furnish, give, rent, lend, or  
15 sell, directly or indirectly, any equipment, fixtures, or supplies,  
16 other than alcoholic beverages, to a retailer whose equipment,  
17 fixtures, or supplies were lost or damaged as a result of a natural  
18 disaster and whose premises are located in an area proclaimed to  
19 be in a state of disaster by the Governor.

20 This section does not apply to transactions ~~which that~~ occur ~~six~~  
21 ~~weeks~~ *three months* or more after the Governor proclaims an area  
22 to be in a state of disaster.

23 Nothing in this section is intended to affect or otherwise limit  
24 Section ~~23104.1~~ *23104.1*, 23104.2, or 23104.3.